



## MINUTES

### MEETING OF VILLAGE OF FRANKFORT PLAN COMMISSION / ZONING BOARD OF APPEALS

August 24, 2023 –VILLAGE ADMINISTRATION BUILDING

432 W. NEBRASKA STREET

- Call to Order:** Chair Markunas called the meeting to order at 6:30 PM
- Commissioners Present:** Will Markunas (acting Chair), Dan Knieriem, Brian James, Jessica Jakubowski, David Hogan
- Commissioners Absent:** Nichole Schaeffer
- Staff Present:** Director of Community and Economic Development Mike Schwarz, Senior Planner Christopher Gruba, Planner Amanda Martinez
- Elected Officials Present:** None

#### A. Approval of the Minutes from July 27<sup>th</sup>, 2023

**Motion (#1):** To approve the minutes from July 27<sup>th</sup>, 2023, as presented.

Motion by: Jakubowski

Seconded by: Knieriem

Approved: (4-0-1) (James abstained)

#### B. Workshop: 700 Iron Gate – Paluri Residence Sports Court

Amanda Martinez presented the staff report. She noted that the applicant is requesting a 1,253 square foot sports court for pickleball in his backyard.

Applicant/Owner Mr. Paluri approached the podium. He said that he wanted to install a sports court instead of a swimming pool. He noted that his engineer, Brian Malone, prepared the plans and that all improvements will not exceed the 40% maximum impervious lot coverage. He said that he could install a fence, if needed. His landscape architect, Paul Cracco, was present as well. Mr. Cracco noted that if preferred, they could install giant green arborvitae around the court.

Amanda Martinez noted that when the sports court regulations were drafted by staff, there were six requests for sports courts between 2015-2016 and that the average size requested was 1,023 square feet. She stated that the size of a regulation pickleball court is 880 square

feet. Mr. Paluri stated that 880 square feet is regulation for two players, but a court for four players is larger.

Commissioner Hogan asked if the subdivision has any HOA requirements regarding a privacy fence, such as a cedar fence. Mr. Paluri said that the HOA gave him permission and that the HOA would accept any type of fence allowed by the Village.

Commissioner Jakubowski asked if the HOA has any regulations for fencing. Amanda Martinez said that according to the applicant the HOA did not have a problem with any proposed fencing. However, under the Zoning Ordinance, if the fence would be located less than 30' from either property line adjacent to a street, then it would need to be a decorative fence not to exceed 4' tall. A fence which is set back beyond 30' could be a privacy fence.

Commissioner Hogan said that he's heard that playing pickleball creates a lot of noise, with the specific paddles and balls that are used. Mr. Paluri said that his lot is a corner lot and that there is likely more noise generated from Colorado Avenue at times. He also said that his lot backs up to a common lot to the rear, used for stormwater detention. He also said that he thought that children in a swimming pool would create more noise. Commissioner Hogan said that trees (presumably evergreen) would help the most to dampen the sound.

Commissioner James asked staff to provide some background of the sports court text amendment. Chris Gruba said that sports courts were formally limited to 144 square feet. Since this seemed a little unreasonable, the size was increased to 650 square feet and that anything above that would require a Special Use Permit. He said that the 650 square foot figure was roughly based on being half the size of a basketball court. Commissioner James asked if most sports courts requests in the past were for basketball. Chris Gruba replied yes. Commissioner James asked if a basketball hoop could be installed next to a driveway without needing a Special Use Permit. Chris Gruba couldn't recall but could look into it.

Commissioner Jakubowski said that she had similar concerns regarding the size of the court and the noise for pickleball. There was some discussion regarding the property immediately to the north of 700 Iron Gate. Amanda Martinez said that she is currently working with an applicant that wants to combine Lots 2 and 3 in the Iron Gate Estates Subdivision to create a larger lot. Commissioner Jakubowski said that some kind of fencing would be helpful to contain pickleballs. She said that the placement of the sports court would be worse if the subject property were located further into the back of the residential subdivision.

Commissioner Hogan asked the applicant if a fence was needed to keep pickleballs from traveling into Colorado Avenue.

The applicant responded that due to the weight of the ball it most likely will not travel far out from the property, but if a fence was needed, he would have no problem putting a fence around the court.

Commissioner Knieriem said that he also had concerns about noise and that the subject property doesn't have much of a backyard compared to other lots in the subdivision. He said that the proposed pickleball court would take up most of the backyard and that the lot is not ideal for the sports court. Mr. Paluri said that the property is still under the 40% impervious lot coverage, and he wants to mow less grass.

Acting Chair Markunas said that the noise concern is valid. He was also concerned because the property to the north has not been developed yet for a house and that those future buyers would not have a voice in this decision. He noted that the proposed sports court may be too bulky. He said that since the property does abut Colorado Avenue, a fence would be a good idea. As proposed, he thought that it might be difficult to obtain final approval by the Board. He asked staff if a swimming pool in the same location would require a Variation or Special Use Permit. Chris Gruba said that a pool in the same location would not require either, as long as the 40% impervious lot coverage was not exceeded.

Commissioner Jakubowski stated that she is opposed to a wood cedar privacy fence and that a faux wrought iron fence would look nicer. Commissioner Hogan agreed and added that landscape screening should also be incorporated around the fence. Mr. Paluri said that he didn't want to install a privacy (opaque) fence anyway.

Acting Chair Markunas said that a 3D rendering would be helpful to visualize the sports court, when viewed from Colorado Avenue. He said he wasn't sure that a pool would generate more noise than pickleball, which has a unique sound. He asked the applicant if he had received clear direction from the Commission. Mr. Paluri replied yes.

### **C. Workshop: 9115 Roma Court – Roma Sports Building Addition and Outdoor Recreation**

Christopher Gruba presented the staff report and noted an error on the agenda about the number of requests for this project. The agenda noted 5 Special Use Permits and 2 Variations, there are only 4 Special Use Permits and 2 Variations.

Acting Chair Markunas asked if the applicant would like to approach the podium and add additional information to the staff report that was presented.

The applicant, Steve Rotondi responded that he does not have anything to add to what was said in the staff report.

Acting Chair Markunas asked staff if the 3 Special Use Permits for outdoor recreation for Lots 17, 18, 19 are retroactive requests.

Christopher Gruba responded yes, a soccer field was put in place that straddles Lots 16, 17, and 18 and had not received Special Use Permits for outdoor recreation. The proposed Special Use Permit for these lots would retroactively approve the soccer field use.

The applicant added that he owns the 3 vacant lots that have nothing permanent on them and that the lots had received a previous approval. He stated that is why he bought the 3 additional lots across the street and would like to use them as additional soccer fields because it should not be an issue to put more fields next to existing fields.

Acting Chair Markunas asked staff if the applicant came in requesting approval for the 3 existing soccer fields.

Christopher Gruba responded that the applicant may have obtained building permits for an irrigation system for the soccer field north of the Roma Court facility.

Commissioner Knieriem asked if the four courts proposed inside the building addition would be used for volleyball. Mr. Rotondi replied yes. Commissioner Knieriem said that if each volleyball team has 12 people, that would result in an increase of 96 players that could be there on a weekend for volleyball tournaments. He stated there could be an overlapping of cars on tournament weekends.

The applicant responded that there are around 5 or 6 weekends that hold substantial events. He stated that on tournament weekends, approximately 50 cars park on the street, the adjacent company to the west allows his customers to park in their parking lot, and there are bus shuttle services provided.

Commissioner Knieriem stated he has a concern with children running in the streets due to the lack of sidewalks.

Commissioner Knieriem asked if the applicant understands that there is a risk of liability by using the lots north of Roma Court as a soccer field even though they were not given formal approval for the use.

The applicant stated that he owns the land, he only put portable goals on the lots, and he has the players sign waivers. He added that residents enjoy going to the facility and there are frequent collaborations with the park district, so he wants to come into compliance to make it a great place.

Acting Chair Markunas added that he appreciated what the facility does for the community but what Commissioner Knieriem means is that Lots 16-18 need get into compliance to ensure safety.

The applicant stated if he was allowed to put fencing around the entire property, he would do so.

Acting Chair Markunas asked if extending parking to the east to add parking spaces to the parking lot could be an option to alleviate the parking concern.

The applicant responded that he would consider that option.

Commissioner James stated that there are comparable volleyball facilities that can be helpful for staff's analysis. He added that he would like to see any agreements the applicant has with others for parking.

Commissioner Hogan stated that he is a user of the facility and observed that there are many people who just drop their kid off instead of staying so there is a concern for the traffic flow to get in and out. He added that parents spend more time in northern Illinois because there are not many facilities around here, so he would like to help find a solution.

Commissioner Knieriem asked staff what business are permitted and not permitted on the property since it is in an industrial setting.

Christopher Gruba responded that the soccer fields on Lot 1 had received a Special Use Permit for outdoor recreation but that Lots 16-18 had not received such approval. He stated that the Special Use Permits for Lots 16-18 were discussed by the Plan Commission in 2018 and 2019.

Commissioner James asked if the request in 2019 received a vote.

Christopher Gruba responded that the public hearing request never received a vote and was tabled indefinitely.

The applicant's engineer, Robin Ersfeldt, approached the podium and explained that they chose to provide an exit in the middle of the parking lot because it would avoid users having to deal with traffic in the parking lot.

Commissioner Knieriem asked what the triangular empty lot is for on the site plan.

The applicant stated that it would be used for a 5-foot by 5-foot field for smaller children.

There was discussion about the applicant possibly losing a field to accommodate the Commissioners' suggestion to expand the parking lot to the east.

Commissioner Knieriem asked what fields exist indoors.

The applicant responded that there is a 31,000 square foot turf field that sometimes gets separated into two smaller fields. He stated that the turf field can also be used for baseball and batting cages and that the upstairs has basketball courts and volleyball courts.

Christopher Gruba asked the applicant if he had a desire to combine all of the lots.

The applicant responded that yes, he would like to combine the lots.

There was discussion about ways to prevent balls from running off the property.

Commissioner James requested renderings to help visualize the project especially to prove why it could fit in an industrial setting.

Commissioner Jakubowski stated there is a need to implement fencing around the property since there have been accidents that have happened in Frankfort where a car goes over the curb.

The applicant asked if he is only allowed to put portable material in the front yard.

Commissioner Jakubowski responded it should be a permanent feature even if not necessarily a fence.

Commissioner James asked what the height of the building and the building addition was and echoed the need for a rendering to see how the building would look from different angles.

Robin Ersfeldt added that by expanding the proposed parking lot, the applicant would be alleviating the parking concern that Commissioners have since the parking lot would be able to accommodate the cars that currently park on the street.

Christopher Gruba asked the applicant to show the off-street parking spaces on Roma Court on the site plan the next time it is submitted.

Robin Ersfeldt responded that she will mark the on-street parking spaces.

Acting Chair Markunas asked the applicant if he had received adequate direction.

Steve Rotondi replied yes.

#### **D. Workshop: 655 Center Road – King Heating & Cooling**

Amanda Martinez presented the staff report. The applicant is proposing a building addition to the existing building.

Grant Currier, the project architect and President of Linden Group, approached the podium. He said that there was a typo on the application and the site plan did not have the north setback labeled. The setback from the existing (and proposed) building to the north property line is 5.7', not 10.5'. He said that the building was constructed in 1971. He said the Village's Zoning Ordinance was revised in 2001, at which point the existing building became non-conforming in several aspects. He said that as a corner lot, it's difficult to meet the required 50' setback from both streets. He noted that the rooftop mechanical units would be screened. He said that the buildings on Ontario Street have varying styles and materials that include CMU, brick, board & batten, metal, etc. He said that he is proposing brick on the side of the addition facing Ontario Street, but that the east and north sides of the building would be split-face CMU block. The brick would be slightly wrapped around

the side of the east elevation. He said that the existing building to the north is entirely metal-sided and by that comparison, the proposed split-face CMU block is higher quality.

Acting Chair Markunas asked for comments regarding the existing conditions and proposed variations. He noted that the applicant was requesting a variation to reduce the required interior side yard (north yard) from 20' to 5.7' to match the existing building's setback.

Commissioner Knieriem asked if the owner of the property also owns the adjacent properties to the north and east. Staff responded that the owner owns the property to the east but not to the north. He was concerned that east side of the building addition would not look good if viewed from the property to the east. He asked if there would be 21' of separation between the proposed addition and the building to the east. Mr. Currier replied yes.

Acting Chair Markunas said that he didn't have any concerns with the north interior side yard setback since it follows the existing building. He then asked for comments regarding the rear setback to the east property line.

Commissioner Knieriem asked what the existing driveway would be used for on the east side of the building. Amanda Martinez noted that this driveway is existing asphalt that would need to be removed to provide the required 5' parking area setback from the rear property line. The driveway exists today and is considered existing, non-conforming. However, since the site is being altered, a variation would be required to keep the existing asphalt in place without providing a 5' greenspace buffer. Mike Schwarz added that both the subject property and the property to the east are non-compliant regarding the driveway setback. If the driveway on the east side of the subject property was removed, the driveway on the property to the east would likely become unusable since it's approximately 5' wide. Acting Chair Markunas said that the applicant should follow staff's suggestion and remove the 5' asphalt strip with grass, since this would remove one of the variation requests. Mr. Currier noted that grass might not grow in this location but could look into other plantings.

Acting Chair Markunas asked the Commission for comments regarding the utilization of split-face CMU block on the east and north elevations.

Commissioner Hogan asked for the length of both the north and east façades. Mr. Currier said that the north side of the building addition would be 46'-8" and the east side would be 60'-8". Commissioner Hogan said that additions of a smaller area (length) should be as aesthetically pleasing as possible. Commissioner James said that the proposed split-face CMU block is less appealing than brick.

Commissioner Jakubowski asked if the split-face CMU block would be painted. Mr. Currier said that it would be painted white to match the trim on the building. She thought that the building addition should look more cohesive with the existing building.

Commissioner Knieriem agreed with Commissioners James and Jakubowski, in that the addition should be 100% brick. He said that changes to buildings in existing, older, neglected industrial parks should be made as nice as possible to stop the industrial park from getting worse. A thoughtful, quality building addition has the potential to stop the regression.

Commissioner Jakubowski asked if the split-face CMU could be painted a color to match the brick, instead of white.

Acting Chair Markunas said that the CMU block is inappropriate for the addition in any color. He said that it's a corner lot on a property that is visible as you approach the downtown and that building additions should look uniform with the existing building.

Commissioner Knieriem asked about the existing fence in the front of the building facing Center Road. He questioned whether this fence ever obtained formal approval from the Village. He said that since the fence is close to Center Road and detracts from the appeal of the building that it should be removed. Amanda Martinez said that she'd investigate whether the fence had received formal approval. Commissioner Knieriem said that the entire property seems to be missing landscaping.

Commissioner James said that this corner lot needed increased appeal.

Acting Chair Markunas said that what they are proposing looks much better than what exists today and added that the landscape requirements should be adhered to.

The Commission asked about a Photometric Plan. Mr. Currier said that one will be provided for the next meeting. He said that only wall pack lights were being proposed.

Commissioner Knieriem asked about the existing outdoor utility vehicle parking and if the vehicles would be parked overnight. Mr. Currier said that the building addition would allow parking of some vehicles inside the building. Commissioner Knieriem asked staff if there's a restriction on overnight parking. Amanda Martinez said that overnight parking of vehicles is considered outdoor storage per the Zoning Ordinance and would require a Special Use Permit. Commissioner Knieriem said that it might be warranted to add a condition of approval that no vehicles be parked overnight.

Commissioner Knieriem asked if there was a plan to address drainage and noted that when buildings are spaced close together, water can pool and cause problems. He said that the gutters should be tied into the storm sewers and not allowed to sheet flow over the parking lot and onto adjacent lots. Mr. Currier said that they had not engaged a civil engineer yet but that they would take this under consideration.

Commissioner Janes asked if 7 parking spaces were proposed after the building addition. Mr. Currier said that there are currently 12 which would be reduced to 7. Amanda Martinez



noted that on-street parking is permitted on Ontario Street. Commissioner James said that if a variation was not being requested for parking, then he didn't object to the loss of parking spaces.

There was some discussion regarding the existing, smaller rolling dumpster on the east side of the building. Amanda Martinez noted that by Code, it should be contained within an enclosure. Mr. Currier said that he'd find out if the dumpster would be moved indoors or whether it would be housed in an enclosure. Commissioner Knieriem asked what all the items were that are located outside of the building facing Center Road. Mr. Currier replied that it was a collection of junk.

Acting Chair Markunas asked Mr. Currier if he had received adequate direction. He replied yes.

#### **E. Public Comments**

There were no public comments.

#### **F. Village Board & Committee Updates**

Mike Schwarz noted that the annual Illinois APA conference is approaching, and Plan Commissioner training is being offered on September 13<sup>th</sup>. If any commissioners wish to attend, he asked to be notified by tomorrow.

Commissioner Hogan noted the less than attractive appearance of some of the industrial properties along Ontario Street. Also, he asked what is being done about the appearance of the Butera Center.

Mike mentioned that staff is aware of the concerns regarding property maintenance. Village staff has been in communication with the owner of the Butera Center to address property maintenance issues.

Commissioner Knieriem asked if the Mech House at 11 N. White Street is being torn down.

Mike responded that the Village Board recently authorized the demolition of the Village-owned house to accommodate a potential future municipal parking lot. The Village recently advertised a public viewing of the property for any members of the public to bid on salvageable construction materials such as millwork, doors, and stained-glass windows. Information is available on the Village web site.

Commissioner Knieriem asked about the status of the proposed Olde Frankfort Mall Building Addition and the proposed multi-tenant retail building at 7 N. White Street.

Chris Gruba responded that the applicant is still looking into potential options for off-site parking to serve the residential units within the proposed addition. There is no confirmed

date for when the zoning and plat requests associated with the project will be scheduled for Village Board consideration.

Mike Schwarz mentioned that the building permit has not been issued for the 7 N. White Street project which was previously approved by the Village Board. The project architect submitted building elevations which include some adjustments to the window locations as well as one rear door.

### G. Other Business

Amanda Martinez noted that staff approved a Minor Change to the PUD for the property located at 32 W. Nebraska to modify the previously approved metal staircase. No action is required by the PC/ZBA.

### H. Attendance Confirmation (September 7<sup>th</sup>, 2023)

Chair Markunas said that there will be a special PC/ZBA meeting held on September 7<sup>th</sup> and to let staff know if they cannot attend. Acting Chair Markunas and Commissioner Knieriem said that they will not be able to attend. Chris Gruba said that he had received confirmation from 4 other commissioners which is the minimum needed for a quorum.

**Motion (#2):** Adjournment 9:10 P.M.

Motion by: Jakubowski

Seconded by: Knieriem

The motion was unanimously approved by voice vote (5-0).

Approved September 7<sup>th</sup>, 2023

As Presented   X   As Amended       

Nichie Schaeffer /s/ Nichie Schaeffer, Chair

Christopher Gruba /s/ Secretary